

**EXHIBIT 3**



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October 14, 2005

**VIA FACSIMILE**

LaBarron N. Boone  
BEASLEY, ALLEN, CROW,  
METHVIN, PORTIS & MILES, P.C.  
218 Commerce Street  
P.O. Box 4160  
Montgomery, AL 36103-4160

**RE: Estate of Ronald T. Roby v. Benton Express, Inc.  
In the United States District Court for the Middle District of Alabama  
2:05CV-194-T**

Dear LaBarron:

We are in receipt of your expert disclosures. We would like to depose your DOT expert, Roland Brown, on November 11, 14, or 15. Please let us know which of these dates will work for you and Mr. Brown.

Regarding the "Initial Preliminary Report of Opinions by M.P. Stirling," the disclosures are clearly defective under the rules in that no actual opinions are stated. Obviously, without knowing the opinions of Ms. Stirling, we do not know whether we will need an accident reconstruction expert of our own. Furthermore, we cannot be expected to retain an expert to respond to Ms. Stirling's opinions when we do not even know what those opinions are.

To allow you to cure this defect, we are willing to stipulate to you providing full disclosures of Ms. Stirling's opinions by October 31, 2005. However, this stipulation would be made only on the condition that you stipulate to us being allowed 30 days from that date (i.e., until November 30) to disclose our accident reconstruction expert. Please let us know if you will agree to this proposal by Wednesday, October 19, so that we will know whether to seek the intervention of the Court.

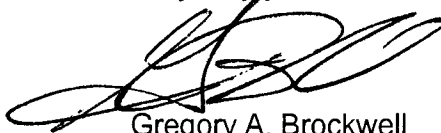
**Estate of Ronald T. Roby v. Benton Express, Inc.**

October 14, 2005

Page 2

Thank you for your attention to this matter. We look forward to hearing from you.

Very truly yours,

A handwritten signature in black ink, appearing to be "GAB", written over a horizontal line.

Gregory A. Brockwell  
For the Firm

GAB/sdh

cc: Brett A. Ross, Esq.

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October 17, 2005

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JAMES W. TRAEGER  
1983-1987  
RONALD AUSTIN CANTY  
1963-2001

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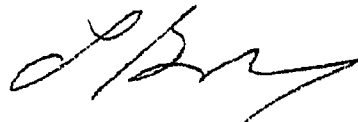
Re: *Hazel Roby v. Benton Express, Inc.*

Dear Greg:

I am in receipt of your letter of October 14, 2005. Roland Brown is not available at all during the month of November. He is available December 5, 6, 15, and 16. Please advise immediately which of these dates is convenient for you.

Sincerely,

BEASLEY, ALLEN, CROW, METHVIN,  
PORTIS & MILES, P.C.



LABARRON N. BOONE

LNB/dmj



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October 28, 2005

**VIA FACSIMILE (334)954-7555**

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METHVIN, PORTIS & MILES, P.C.  
218 Commerce Street  
P.O. Box 4160  
Montgomery, AL 36103-4160

**RE: Estate of Ronald T. Roby v. Benton Express, Inc.  
In the United States District Court for the Middle District of Alabama  
2:05CV-194-T**

Dear LaBarron:

We would like to depose your expert, M.P. Stirling. Please provide all dates in November that you and Ms. Stirling can be available for deposition. Thank you for your attention to this matter.

Very truly yours,

Gregory A. Brockwell  
For the Firm

GAB/sdh  
cc: Brett A. Ross, Esq.

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JAMES W. TRAEGER  
1953-1987

RONALD AUSTIN CANTY  
1963-2004

November 3, 2005

## VIA FACSIMILE TRANSMISSION

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*Carr, Allison, Pugh, Howard,  
Oliver, & Sisson, P.C.*  
100 Vestavia Parkway, Suite 200  
Birmingham, Alabama 35216

Re: *Hazel Roby v. Benton Express, Inc.*

Gentlemen:

Ms. Stirling has advised that she can be available the afternoon of December 6, 2005, if you wish to take her deposition immediately following the deposition of Roland Brown. Please let me know if this is convenient for you or if you wish for me to obtain additional dates for Ms. Stirling's deposition.

Sincerely,

BEASLEY, ALLEN, CROW, METHVIN,  
PORTIS & MILES, P.C.



LABARRON N. BOONE

LNB/drj



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November 7, 2005

**VIA FACSIMILE (334)954-7555**

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218 Commerce Street  
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**RE: Estate of Ronald T. Roby v. Benton Express, Inc.  
In the United States District Court for the Middle District of Alabama  
2:05CV-194-T**

Dear LaBarron:

Please provide some additional dates for the deposition of M.P. Stirling. We do not want to take her deposition on the same day as Roland Brown's deposition. We look forward to hearing from you.

Very truly yours,

Gregory A. Brockwell  
For the Firm

GAB/sdh

cc: Brett A. Ross, Esq.

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November 10, 2005

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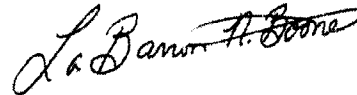
**RE: Haze Roby for Ronald Roby, deceased v. Benton Express, Inc.**

Dear Gregory:

Ms. Stirling has advised that she can be available December 13 & 15 2005,  
Please let me know immediately which date is convenient for you.

Sincerely,

BEASLEY, ALLEN, CROW,  
METHVIN, PORTIS & MILES, P.C.



LABARRON N. BOONE

LNB/ceh